

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**MARTIN J. WALSH, Secretary of Labor,
United States Department of Labor**

PLAINTIFF

V.

NO. 4:21-CV-123-DMB-DAS

**JESSE’S CLEANING SERVICE, LLC;
and JESSE TALIAFERRO, an individual**

DEFENDANTS

ORDER

On September 24, 2021, Martin J. Walsh, then Secretary of Labor of the United States Department of Labor, filed a complaint in the United States District Court for the Northern District of Mississippi against Jesse’s Cleaning Service, LLC, and Jesse Taliaferro, alleging violations of the Families First Coronavirus Response Act, the Emergency Paid Sick Leave Act, and the Fair Labor Standards Act with respect to Kiowanna Brown and Christie McNeal, former employees of Jesse’s Cleaning Service. Doc. #1. On April 21, 2023, a motion was filed by the plaintiff which appeared for the first time to identify the plaintiff in its caption and body as “Julie A. Su, Acting Secretary of Labor.” Doc. #41 at 1. Since then, almost every filing by the plaintiff appears to include Su in its caption as the plaintiff. *See* Docs. #72, #73, #77, #79, #84, #85, #90, #91, #92, #94, #95, #98, #99. However, at no point has the plaintiff (or any other party) asked or been granted leave to amend the caption of this case to substitute Su for Walsh.

Because the Court takes judicial notice of the fact that Julie A. Su is currently the Acting Secretary of Labor of the United States Department of Labor,¹ because the Court wishes to avoid

¹ *See* Off. of the Sec’y, U.S. Dep’t of Lab., <https://www.dol.gov/agencies/osec> (last visited Dec. 4, 2023); *Swindol v. Aurora Flight Scis. Corp.*, 805 F.3d 516, 518–19 (5th Cir. 2015) (taking judicial notice of public records available on state government website); *Kitty Hawk Aircargo, Inc. v. Chao*, 418 F.3d 453, 457 (5th Cir. 2005) (taking judicial notice of public information on governmental agency website).

any confusion regarding the plaintiff's identity, and because the parties advised during the December 4 status conference that they do not oppose the substitution of Su for Walsh:

1. Julie A. Su, Acting Secretary of the United States Department of Labor is **SUBSTITUTED** for Martin J. Walsh, former Secretary of the United States Department of Labor, as the plaintiff in this case;

2. The Clerk of Court is **DIRECTED** to change the style and name of this case on the CM/ECF docket to reflect as the plaintiff "Julie A. Su, Acting Secretary of Labor, United States Department Labor;" and

3. From this point forward, the caption of all filings or other documents in this case shall indicate as the plaintiff "Julie A. Su, Acting Secretary of Labor, United States Department Labor."

SO ORDERED, this 4th day of December, 2023.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE